

BC Planning, LLC
555 Route 32, PO Box 489
Highland Mills, New York 10930
(845) 827-5763
Fax: 827-5764
Email: bcocks@frontiernet.net

MUNICIPALITY: Town of Newburgh

TOWN PROJECT NUMBER: 12-24

PROJECT NAME: Noah Estates Section II

LOCATION: Corner of Noah Place and Rock Cut Road (86-1-95.1)

TYPE OF PROJECT: 4 lot residential subdivision (3 new, 1 existing - 6.48 ac)

DATE: November 14, 2012

REVIEWING PLANNER: Bryant Cocks

PROJECT SUMMARY:

Approval Status: Plans submitted November 13, 2012

SEQRA Status: Unlisted

Zone/Utilities: R-2/Individual well and septic

Map Dated: October 24, 2012

Site Inspection: November 13, 2012

Planning Board Agenda: November 15, 2012

Consultant/Applicant: Daniel Yanosh, LLS

Copies have been sent to: John P. Ewasutyn at the Planning Board office, James Osborne, Michael Donnelly, Karen Arent, Ken Wersted, Patrick Hines and Gerald Canfield on November 14, 2012

Comments and Recommendations:

1. The applicant is proposing a 4 lot subdivision of approved lot 6 of the Noah Estates Subdivision, approved January 8, 2008 by the Town of Newburgh Planning Board. This lot is at the southern corner of the intersection of Rock Cut Road and Noah Place.
2. The applicant will need to demonstrate the 10,000 square foot buildable area requirement listed in Section 185-48.5.E on the plans and in the bulk table. It looks as though all lots will meet this requirement, but there are wetlands on lot 8 so it is possible that a variance would be required if it cannot be met. There are no other variances necessary for the 3 new of 1 exiting lot.
3. The wetlands were previously flagged on September 8, 2003; a new wetland delineation is required as the five year timeframe has expired. There is a possibility the wetlands have moved on the parcel, which could affect the placement of the house or septic system on lot 8.
4. The plans will need to be sent to the Orange County Planning Department for their review, as Rock Cut Road is a County Road.

5. The new lots will need to become part of the private road maintenance agreement. The applicant has showed this agreement on the plans, which will need to be approved by Michael Donnelly.
6. I will request the mailing list from the Assessor's office for the applicant to complete the Adjoiner Notice mailing requirement. If the Planning Board feels the plans are conceptually approvable this notice can be part of the Notice of Hearing mailing. The only issue I see holding the applicant from a public hearing is the wetland issue discussed in comment number three.

The above comments represent my professional opinion and judgment, but may not necessarily, in all cases, reflect the opinion of the Planning Board. Please revise your plans to reflect these comments with the understanding that further changes may be required. In all cases the requirements of the Zoning Law and Subdivision Regulations shall be adhered to by the applicant and shall be shown on the plans. Where variances to the Zoning Law are required or where waivers from the Subdivision Regulations are needed, specific requests shall be made to the Planning Board for a waiver or for referral to the ZBA. These comments are prepared based on current zoning and subdivision regulation requirements. Any change in those regulations prior to final approval of these plans could require revisions beyond the scope of my existing comments.